

5. Counsel for defendant spoke to counsel for the plaintiff, and the counsel for the plaintiff has no objection to this Court granting an enlargement of time to the defendant to answer. (See Correspondence to plaintiff's counsel, John Cichon, attached as Exhibit "B.")

6. No other party will be prejudiced by the extension.

7. In light of the foregoing, Defendant, SMITHWAY MOTOR XPRESS, INC., requests up to and including January 24, 2008, to answer or otherwise file responsive pleadings in this matter.

WHEREFORE, Defendant, SMITHWAY MOTOR XPRESS, INC., prays that this Honorable Court enter an Order extending the time in which to file its responsive pleadings up to and including January 24, 2008 and any such other relieve that this Court deems just.

Respectfully Submitted,

SMITHAMUNDSEN LLC

S/ Lew R.C. Bricker

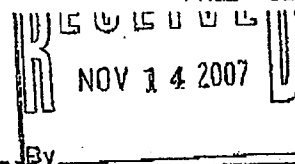
Lew R. C. Bricker - 6206641
Attorney for Defendant, Smithway Motor Xpress,
Inc.
SmithAmundsen LLC
150 N. Michigan Avenue, Suite 3300
Chicago, IL 60601
(312) 894-3200
(312) 894-3210
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Lew R. C. Bricker
Tanya N. Petermann
Attorneys for Defendant, Smithway Motor Xpress, Inc.
SmithAmundsen LLC
150 North Michigan Avenue, Suite 3300
Chicago, IL 60601
(312) 894-3200

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LIBERTY MUTUAL

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**NATIONAL REGISTERED AGENTS, INC.****SERVICE OF PROCESS SUMMARY TRANSMITTAL FORM**

To: DOUGLAS C. SANDVIG
SMITHWAY MOTOR XPRESS, INC.
2031 QUAIL AVENUE
FORT DODGE, IA 50501

SOP Transmittal # IL49907

(800) 767-1553 - Telephone
(609) 716-0820 - Fax

Defendant: SMITHWAY MOTOR XPRESS, INC.
(Entity Served)

Enclosed herewith are legal documents received on behalf of the above captioned entity by National Registered Agents, Inc. or its Affiliate in the State of ILLINOIS on this 6 day of November, 2007. The following is a summary of the document(s) received:

1. **Title of Action:** MELISSA MANNING-VS- SMITHWAY MOTOR XPRESS, INC. et al
2. **Document(s) served:**

<input checked="" type="checkbox"/> Summons	<input type="checkbox"/> Subpoena	<input type="checkbox"/> Injunction
<input checked="" type="checkbox"/> Complaint	<input type="checkbox"/> Third Party Complaint	<input type="checkbox"/> Notice of
<input type="checkbox"/> Petition	<input type="checkbox"/> Demand for Jury Trial	<input type="checkbox"/> Mechanics Lien
<input type="checkbox"/> Garnishment	<input type="checkbox"/> Default Judgement	<input type="checkbox"/> Other:
3. **Court of Jurisdiction/ Case & Docket Number:** IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS COUNTY DEPARTMENT, LAW DIVI 2007L012144
4. **Amount Claimed, if any:**
5. **Method of Service (select one):**

<input checked="" type="checkbox"/> Personally served by.	<input checked="" type="checkbox"/> Process Server	<input type="checkbox"/> Deputy Sheriff	<input type="checkbox"/> U. S Marshall
<input type="checkbox"/> Delivered Via:	<input type="checkbox"/> Certified Mail	<input type="checkbox"/> Regular Mail	<input type="checkbox"/> Facsimile
	(Envelope enclosed)	(Envelope enclosed)	
<input type="checkbox"/> Other (Explain):			
6. **Date and Time of Service:** 11/6/2007 2:38:52 PM OST (GMT -6)
7. **Appearance/Answer Date:** 30 Days
8. **Plaintiff's Attorney:** JOHN T. CICHON
(Name, Address & Telephone Number) 77 W. WACKER DRIVE
SUITE 4025
CHICAGO, IL 60601
312-348-9241
9. **Federal Express Airbill #** 798303319686
10. **Call Made to:** VM - DOUGLAS C. SANDVIG
11. **Special Comments:**

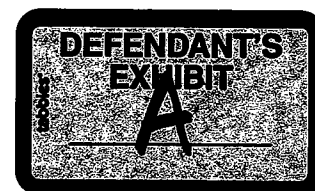
NATIONAL REGISTERED AGENTS, INC.

Copies To:

Transmitted by: Cecilia Villalpando

The information contained in this Summary Transmittal Form is provided by National Registered Agents, Inc. for informational purposes only and should not be considered a legal opinion. It is the responsibility of the parties receiving this form to review the legal documents forwarded and to take appropriate action.

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PAGE 03/08

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SMITHWAY MOTOR XPRESS, INC.
2031 QUAIL AVENUE
FORT DODGE, IA 50501-

SOP Transmittal # IL49907

(800) 767-1553 - Telephone
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6. Date and Time of Service: 11/6/2007 2:38:52 PM CST (GMT -6)
7. Appearance/Answer Date: 30 Days
8. Plaintiff's Attorney: (Name, Address & Telephone Number) JOHN T. CICHON
77 W. WACKER DRIVE
SUITE 4025
CHICAGO, IL 60601
312-346-9241
9. Federal Express Airbill #798303319686
10. Call Made to: VM - DOUGLAS C. SANDVIG
11. Special Comments:

NATIONAL REGISTERED AGENTS, INC.

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ACKNOWLEDGEMENT COPY



SmithAmundsen

Tanya N. Petermann
Direct Dial: (312) 894-3328

January 16, 2008

VIA FACSIMILE (312) 704-4431

Mr. John T. Cichon
Polansky, Cichon & Batey, Chtd.
77 W. Wacker Drive
Suite 4025
Chicago, IL 60601

Re: Melissa Manning v. Smithway Motor Xpress, Inc. and Shayne Abram Melton
Court No.: 04 L 12144
DOL: 11/4/05
Our File: 3006159-LRB/TNP

Dear Mr. Cichon:

Please permit this letter to confirm our discussion of today. You indicated during our conversation that you do not object to us filing Smithway's Answer and other Responsive Pleadings late. As indicated to you, we will file an Agreed Motion for Enlargement of Time.

We also set a conference call for January 24, 2008 at 11:00 a.m. to comply with Judge Kennelly's court order to discuss the nature of this case, discovery schedule, possibility of settlement and magistrate jurisdiction.

If my understanding of this information is incorrect in any manner, please let me know.

Sincerely,

Tanya N. Petermann

TNP

